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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/070,831	04/30/1998	ASIT DAN	YO998-137	4859

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EXAMINER
BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)	
Office Action Summary	09/070,831	DAN ET AL.	
	Examiner	**Art Unit**	
	Brown M. Reuben	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *13 August 2002* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-11 and 23-40* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-11 and 23-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
            application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 10 appears to require a relationship between the at least one presentation and the received sensed event, however, this relationship is unclear. For instance the recitation of "optionally applying each rule to the at least one presentation for each sensed event" is unclear.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined

was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment

by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4.   Claims 1-5, 9, 11, 23-29 & 31-37 are rejected under 35 U.S.C. 102(e) as being

anticipated by Hunt, (U.S. Pat # 5,740,388).

Considering claim 1, the claimed method of dynamically generating a presentation

sequence from a plurality of authored presentation documents comprising receiving the plurality

of authored documents from a plurality of data sources reads on the disclosure in Hunt of a

plurality of video segments stored in a database, see col. 1, lines 46-48; col. 5, lines 41-45 & col.

8, lines 55-60. Hunt is directed to enabling customers to request a customized video product,

which is made up of a collection of video segments, generally pre-stored in a database accessible

to the system. Hunt discloses that the database may include collections of a wide variety of

different types of video segments, such as medical information, physician introductions, test

taking procedures, and real estate information.

The additionally claimed method of applying the plurality of authored documents to a set

of presentation rules and generating the presentation sequence in response to the applying set is

met by Hunt, (col. 5, lines 6-15; col. 5, lines 55-63; col. 6, lines 28-40 & col. 8, lines 36-41). In

Hunt, the customer enters a set of criteria desired for the requested customized collection of video segments. According to these criteria, which read on the claimed presentation rules, the system retrieves on the appropriate video segments. Next the retrieved video segments are sequenced in order and stored on a recording device, such as a VHS tape, in order for the customer to view the customized collection.

Considering claim 2, the claimed method of applying the presentation rules by testing for satisfied rule conditions and applying the plurality of presentation documents to a set of presentation rules in response to the satisfied rule conditions reads on testing the video segments in Hunt against the content criteria, and retrieving all video segments that satisfy the rule condition.

Considering claims 3-4, the step of receiving user input is broad enough to read on the user choosing the desired content criteria, which is taught in Hunt, (Fig. 13; Fig. 14; col. 5, lines 11-14; col. 5, lines 31-35 & col. 8, lines 51-55). The changing of the user selected content criteria modifies the set of presentation rules.

Considering claim 5, the claimed step of sensing an external event and generation the presentation sequence in response to the sensed event is broad enough to read on starting the sequence when the makes a particular selection to begin operation, such as disclosed in col. 5, lines 65-67 thru col. 6, lines 1-5, as the OK, Record to Tape, button; see Fig. 7.

Considering claim 9, authored documents read on the video segments stored in a database

and the composite presentation sequence is met by Hunt, (col. 6, lines 21-44; col. 8, lines 36-41

& col. 8, lines 60-62).

Considering claim 11, the amended claimed method for dynamically comprising a

presentation from a plurality of multimedia components comprising the steps of selecting one or

more multimedia components to be identified as the initial portion of the presentation reads on

the disclosure of Hunt that the introduction is the first portion of a user requested customized

collection of videos, see col. 5, lines 35-38 & col. 6, lines 30-33. As for the additionally claimed

feature programmatically selecting one or more multimedia components to be identified as

subsequent portions of the presentation and synchronizing the selected components to form the

presentation, Hunt teaches that a plurality of video segments are sequenced together in order to

create requested presentation for the customer, col. 6, lines 21-42.

Considering claims 23-24, in Hunt the user selects the content criteria before the video

segments are retrieved; see col. 5, lines 10-60.

Considering claim 25, the presentation rules are applied to a variety of video segments

databases; see col. 5.

Considering claim 26, as for the claimed limitation that the authored documents are pre-

composed documents, Hunt teaches that the video segments are pre-stored in a database.

Regarding the authored presentation documents being completed authored documents; the

recited limitation is still broad enough to read on the video segments in Hunt. Even though the

video segments in Hunt are generally a few minutes they are complete for their purpose, for

instance the video segments could be broadcast as commercials.

Considering claim 27, the claimed method for creating a presentation comprises method

steps that correspond with subject matter mentioned above in the rejection of claim 11, and is

likewise treated. As for the additionally claimed limitation selecting the subsequent portions of

the presentation, without user intervention, in Hunt the customer makes an initial selection of

content criteria and the presentation sequence is generated without additionally user intervention.

Considering claims 28-29, video segments in Hunt read on multimedia since a video

program includes at least audio & video.

Considering claim 31, the creation of rules is at least in part based upon user input

parameters; see col. 5.

Considering claim 32, the automatic selecting process is responsive to the vide segments,

which read on line content.

Considering claims 33-36, the claimed method for creating a presentation comprises

method steps that correspond with subject matter mentioned above in the rejection of claim 1,

and is likewise treated.

Considering claim 37, the claimed program storage device readable by a machine

tangibly embodying a program of instructions, which correspond with subject matter mentioned

above in the rejection of claim 1, is inherently found in Hunt.

5.   Claims 38-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Richmond,

(U.S. Pat # 5,805,1560.

Considering claim 38, the claimed automatic presentation generator comprising a library

of rules based on user input reads on the user in Richmond selecting event data, see Abstract &

col. 2, lines 64-67. The additionally claimed feature of the receiving information from at least

one data source maintaining a plurality of multimedia segments is met by the reception of TV

broadcast data at the capture device, as shown in Fig. 1, Fig. 2 & Fig. 3. The claimed

computation engine that applies the rules to the multimedia segments to produce a presentation,

without user intervention reads on the control unit 170 of Richmond, col. 4, lines 19-40.

Considering claim 39, Richmond teaches that the capture device may be embodied as a

set top box, col. 2, lines 66-67.

Considering claim 40, Richmond includes a TV to display the presentation.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 6-8 & 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt.

Considering claims 6-8, Official Notice is taken that at the time the invention was made,

it was well known to modify presentation rules in a sequence generation algorithm. It would

have been obvious for one of ordinary skill in the art at the time the invention was made, to

modify Hunt, according to well known techniques of modifying presentation rules, at least for

the desirable improvement of a more flexible manner of authoring a presentation sequence.

Considering claim 30, Hunt does not discuss that the selected documents may be non-

continuous media. Official Notice is taken that at the time the invention was made, it was well

known in the art to combine graphics and text with video data. . It would have been obvious for

one of ordinary skill in the art at the time the invention was made, to modify Hunt with the

known technique of utilizing non-continuous media for the desirable benefit of enhancing the

overall presentation, such as with a background, overlay, graphic or text input.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

A)   Cohen   Teaches generation of multimedia using rules.

B)   Slade   User customization of video sequences.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:
(703) 872-9314, (for formal communications intended for entry)
Or:

(703) 872-9314 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brown M. Reuben whose telephone number is (703) 305-2399.

The examiner can normally be reached on M-F (8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew I. Faile can be reached on (703) 305-4380. The fax phone numbers for the

organization where this application or proceeding is assigned is (703) 872-9314 for regular

communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-4700.

Reuben M. Brown.

ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TEC